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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,942	04/16/2004	William C. To	7784-000728	1620

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EXAMINER	
JAKOVAC, RYAN J	
ART UNIT	**PAPER NUMBER**
2145	

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08/01/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/826,942	TO, WILLIAM C.	
	Examiner	Art Unit	
	RYAN J. JAKOVAC	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 May 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *06/19/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites "a web server module resident in the computer that includes the received data in one or more web pages." It is unclear how the web server module includes the received data in an actual web page when the web pages are rendered and displayed by a separate module (i.e. the web browser module).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0095476 to Craik in view of US 2003/0014426 to Gimbert et al (hereinafter Gimbert).

Regarding claim1, 9, 11, 14, 17, 19, 21, 22, Craik teaches an apparatus for performing configuration management relative to an aircraft, the apparatus comprising:

a computer that connects with the aircraft to receive data from one or more modules of the aircraft (Craik, [0012], information is downloaded onto the portable computing device from the memory buttons (i.e. modules of the aircraft).); and a web server module resident in the computer that includes the received data in one or more web pages to provide a plurality of maintenance and/or engineering functions selectable by a user of the computer and performable via the computer as to the aircraft (Craik, [0031-0036], portable computing device receives data from the memory button and transmits data to a central computer and to the memory button.); and a web browser module resident in the computer and configured to display the one or more web pages on a display of the computer. In paragraphs [0050-0053], Craik discloses the portable computing device reading data from the memory module and displays technical specifications and diagrams, and also searching the internet. Craik does not expressly disclose including the received data in one or more web pages or the use of a web browser module, however Gimbert teaches using a web browser and server module in this regard (Gimbert, abstract, system enabling aircraft and aircraft engine information to be communicated to a user via a computer including a browser.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine including the received data in one or more web pages and a web browser

module resident in the computer and configured to display the one or more web pages on a display of the computer as taught by Gimbert with the apparatus of Craik in order to enable aircraft and aircraft engine information to be communicated to a user via a computer including a browser (Gimbert, abstract).

Regarding claim 2, The combination of Craik and Gimbert teaches the apparatus of claim 1, wherein the maintenance and/or engineering functions comprise one or more of the following: a configuration management function, a software upgrade function, a health status function, and a troubleshooting function (Craik, abstract, memory buttons store information relating to inspection and maintenance as well as technical information.).

Regarding claim 3, The combination of Craik and Gimbert teaches the apparatus of claim 1, the computer further comprising a configuration file resident in the computer for holding the received data (Craik, information relating to inspection and maintenance (abstract) is downloaded onto the portable computing device ([0031-0036])., the server configured to process data from the configuration file for inclusion in the one or more web pages (Gimbert, abstract, system enabling aircraft and aircraft engine information to be communicated to a user via a computer including a browser. See also fig. 4-5.).

Regarding claim 4, 13, the combination of Craik and Gimbert teaches the apparatus of claim 3, further comprising one or more web page descriptions accessible by the server and one

or more constructs included in the web page descriptions (Gimbert, [0026-0028], server renders web pages.).

Regarding claim 5, The combination of Craik and Gimbert teaches the apparatus of claim 4, further comprising a script executable by the server to activate the construct processing module (Gimbert, [0026-0028], server renders web pages. See also, Abstract.)

Regarding claim 7, The combination of Craik and Gimbert teaches the apparatus of claim 3, wherein the aircraft is included in a fleet managed via a network operations center (Craik, [0003], commercial airliner.), the computer further operable to deliver at least one of the data from the configuration file and the one or more web pages specific to a given one of the aircraft to the network operations center (Craik, [0036], information transmitted to central computer (i.e. network operations center).).

Regarding claim 8, 10, 15, 16, 20, the combination of Craik and Gimbert teaches the apparatus of claim 1, the computer further operable to perform at least one of updating software included in the aircraft, collecting performance data from the aircraft, and operating a troubleshooting tool relative to the aircraft (Craik, [0030-0031], information downloaded onto portable computing device from memory button. Technical information is stored onto the memory buttons).

5. Claims 6, 12, and 18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Craik in view of Gimbert and further in view of Official Notice.

Regarding claims 6, 12, and 18, Official Notice is taken that using standard protocols such as CGI (to obtain data from a file) or SNMP (to retrieve data over a network) are well known. Regarding claim 18, obtaining the ping status of a network element is well known in the art.

Response to Arguments

6. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145